Entered on Docket
September 20, 2011
GLORIA L. FRANKLIN, CLERK
U.S BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

Signed: September 19, 2011

EDWARD D. JELLEN
U.S. Bankruptcy Judge

PATRICK L. FORTE, #80050
ANNE Y. SHIAU, #273709
LAW OFFICES OF PATRICK L. FORTE
One Kaiser Plaza, #480
Oakland, CA 94612
Telephone: (510) 465-3328
Facsimile: (510) 763-8354

Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:	**Case No. 11-47642 EDJ**
HAROLD JAMES KYER, SR. and JERRY DEAN KYER,	**Chapter 13**
Debtors. /	**ORDER VALUING LIEN OF CITIBANK, N.A.**

On August 19, 2011, Harold and Jerry Kyer (hereinafter Debtors) served a motion to value the lien of Citibank, N.A. (hereinafter Lienholder) against the property commonly known as 442 Violet Road, Hercules, CA 94547, which lien was recorded in Contra Costa County on or about March 9, 2006 as document 0072838-00 (hereinafter the Lien).

The court finds that notice of the motion upon Lienholder was proper. Lienholder having failed to file timely opposition to Debtors' motion, the court hereby orders as follows:

(1) For purposes of Debtors’ chapter 13 plan only, the Lien is valued at zero, Lienholder does not have a secured claim, and the Lien may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2) and 1327.

(2) This order shall become part of Debtors' confirmed chapter 13 plan.

(3) Upon entry of a discharge in Debtors' chapter 13 case, the Lien shall be voided for all purposes, and upon application by Debtors, the court will enter an appropriate form of judgment voiding the Lien.

(4) If Debtors' chapter 13 case is dismissed or converted to one under another chapter before Debtors obtain a discharge, this order shall cease to be effective and the Lien shall be retained to the extent recognized by applicable nonbankruptcy law, and upon application by the Lienholder, the court will enter an appropriate form of order restoring the Lien.

(5) Except as provided by separate, subsequent order of this court, the Lien may not be enforced so long as this order remains in effect.

*** END OF ORDER ***

COURT SERVICE LIST

Law Offices of Patrick L. Forte
One Kaiser Plaza, Suite 480
Oakland, CA 94612

Harold & Jerry Kyer
442 Violet Road
Hercules, CA 94547

Attn: Officer
Citibank, National Association
3900 Paradise Road, Suite 127
Las Vegas, Nevada 89109

Attn: Officer or Managing Agent
Aurora Loan Services LLC
10350 Park Meadows Dr
Littleton, CO 80124

Attn: Officer or Managing Agent
Aurora Loan Services LLC
CSC – Lawyers Incorporating Service
2730 Gateway Oaks Dr
Ste 100
Sacramento, CA 95833